

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT General Services	(2) MEETING DATE 7/24/2012	(3) CONTACT/PHONE Katie Perez, Deputy Director- General Services (805) 781-5200	
(4) SUBJECT Introduction of a proposed ordinance amending Title 2, Chapter 2.11 of the County Code to establish provisions regulating the use of facilities and vacant land that are owned or operated by the County. Hearing date set for August 21, 2012.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ul style="list-style-type: none"> (1) Introduce the attached ordinance amending Title 2, Chapter 2.11 of the County Code to establish provisions regulating the use of facilities and vacant land owned or operated by the County, setting August 21, 2012 as the date for a public hearing to review and approve the ordinance. (2) Designate the General Services Agency Director to prepare a summary of the proposed ordinance and instruct the Clerk of the Board to publish the summary and to post the full text in the Office of the Clerk-Recorder in accordance with CA Government Code 25124(b)(1). 			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP No	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services / Katie Perez, Deputy Director
(805) 781-5200

DATE: 7/24/2012

SUBJECT: Introduction of a proposed ordinance amending Title 2, Chapter 2.11 of the County Code to establish provisions regulating the use of facilities and vacant land that are owned or operated by the County. Hearing date set for August 21, 2012.

RECOMMENDATION

It is recommended that the Board:

- (1) Introduce the attached ordinance amending Title 2, Chapter 2.11 of the County Code to establish provisions regulating the use of facilities and vacant land owned or operated by the County, setting August 21, 2012 as the date for a public hearing to review and approve the ordinance.
- (2) Designate the General Services Agency Director to prepare a summary of the proposed ordinance and instruct the Clerk of the Board to publish the summary and to post the full text in the Office of the Clerk-Recorder in accordance with CA Government Code 25124(b)(1).

DISCUSSION

Although County ordinances address County Parks and Facilities in Chapter 11.04 of Title 11 Parks and Recreation, General Services recommends that the Board approve an ordinance that specifically addresses office buildings and vacant land that are owned or operated by the County. The text of the proposed ordinance is shown in Attachment 1 (redline version showing changes) and in Attachment 2 (clean version).

The new ordinance will provide the County with adequate resources to protect County property and to exercise reasonable control over the public's use of County property. The ordinance does not apply to County Parks, County Roads, or County Airports, since they are covered by their own sections of the County ordinances. It also does not apply to uses approved through Library Meeting Room Use Applications or to properties leased by the County to other parties.

The proposed ordinance addresses a variety of issues affecting the use of County facilities and vacant land. Sections include such categories as hours of use, disorderly conduct, public gatherings, sign posting, camping, animals, motor vehicles, resource protection, commercial activity, fires, fireworks, and weapons at County properties. The proposed ordinance balances the public's First Amendment rights at County facilities with the County's duty to address health and safety issues by imposing reasonable time, place, and manner restrictions consistent with established principals of constitutional law. The ordinance authorizes the General Services Agency Director or designee to issue permits to the public for the use of County facilities or vacant land. The cost of the permits is determined by the Board in the annual fee schedule.

General Services recommends that your Board introduce the new ordinance and set the date of August 21, 2012 for a public hearing to review and approve the ordinance. Due to the length of the proposed ordinance, General Services requests the Board to designate the General Services Agency Director to prepare a summary of the proposed ordinance (see Attachment 2) and to instruct the Clerk of the Board to publish the summary and to post the full text in the Office of

the Clerk-Recorder at least five days prior to the hearing date in accordance with CA Government Code 25124(b)(1).

OTHER AGENCY INVOLVEMENT/IMPACT

All County department heads have had the opportunity to review the ordinance to assure that it does not conflict with their areas of county operations. The County Environmental Quality Coordinator has determined that this activity is not subject to CEQA review.

FINANCIAL CONSIDERATIONS

Passage of this ordinance is not expected to affect revenues since permit activity is not expected to change. Fees for Access Permits, Use Permits, and Government Center Permits are authorized annually by the Board. The issuance of permits reduces the County's exposure to liability since the permit requires general liability insurance and indemnification of the County. Many provisions of the new ordinance will provide additional protection to the County to prevent damage or unauthorized use of County properties.

RESULTS

Approval of this item will set the date of August 21, 2012 for a hearing to consider approval of the proposed ordinance. Approval of the ordinance will provide General Services with adequate resources to protect property that is owned or operated by the County and the ability to exercise reasonable control over the public's use of County property. This ordinance supports the County's overall goal of a Livable Community by protecting the County's real property resources while making the properties generally available to the public by permit.

ATTACHMENTS

1. Proposed Ordinance- redlined version
2. Proposed Ordinance- without redlines
3. Summary of Ordinance for Publication